

FISCAL NOTE
HB 2169 - SB 2146

March 19, 2007

SUMMARY OF BILL: Adds rape to the offenses ineligible for probation.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$1,195,400 / Incarceration*

Assumptions:

- According to the Department of Correction (DOC), approximately 10 percent of offenders convicted of rape receive probation. In FY06, there were 62 admissions to DOC for rape. Of this number, it is assumed that seven received probation.
- Seven persons who would have received probation will be convicted of a Class B felony of rape as a result of this bill and will serve 6.8 years (2483.70 days). According to the U.S. Census Bureau, the population growth in Tennessee has been 1.09 percent per year for the past 10 years. Population growth will result in one additional offender in the tenth year as a result of this bill.
- The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on eight offenders serving 6.8 years. According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The cost per inmate at 6.8 years is \$149,419.39 (\$60.16 x 2483.70 days). The total additional operating cost for eight offenders is \$1,195,355.12 (\$149,419.39 x 8).

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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